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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BOARD OF TRUSTEES OF THE
CONSTRUCTION INDUSTRY AND
LABORERS HEALTH AND WELFARE
TRUST; THE BOARD OF TRUSTEES OF
THE CONSTRUCTION INDUSTRY AND
LABORERS JOINT PENSION TRUST;
THE BOARD OF TRUSTEES OF THE
CONSTRUCTION INDUSTRY AND
LABORERS VACATION TRUST; THE
BOARD OF TRUSTEES OF THE
SOUTHERN NEVADA LABORERS
LOCAL 872 TRAINING TRUST,

Plaintiffs,

vs.

SIX STAR CLEANING & CARPET
SERVICE, INC., a Nevada corporation;
BURKE CONSTRUCTION GROUP, INC., a
Nevada corporation; CBRE, INC., a Delaware
corporation; CLARK CONSTRUCTION
GROUP, LLC, a Maryland limited liability
company; M & H ENTERPRISES, INC., a
Nevada corporation; McCARTHY
BUILDING COMPANIES, INC., a Missouri
corporation; MIG WEST, INC., a Nevada
corporation; M.M.C., INC., a Nevada
corporation; SHAWMUT DESIGN AND
CONSTRUCTION, a Massachusetts

Case No. 2:13-cv-00160-GMN-VCF

**REQUEST TO DISMISS CLAIMS
AGAINST MCCARTHY BUILDING
COMPANIES, INC. WITHOUT
PREJUDICE**

AND ORDER

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corporation; THOR CONSTRUCTION, INC., a Minnesota corporation; TISHMAN CONSTRUCTION CORPORATION OF NEVADA, a Nevada corporation; TUTOR PERINI BUILDING CORP., an Arizona corporation; TRE BUILDERS, LLC, a Nevada limited liability company; and, WHITING BROS. CONSTRUCTION CO., a Nevada corporation.

Defendants.

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs, the Boards of Trustees of the Construction Industry and Laborers Health and Welfare Trust, the Construction Industry and Laborers Joint Pension Trust, the Construction Industry and Laborers Vacation Trust, and the Southern Nevada Laborers Local 872 Training Trust (collectively "Trust Funds"), hereby request that the Court dismiss Defendant McCarthy Building Companies, Inc., without prejudice, each party to bear its own attorneys' fees and costs.

Dated: July 31, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP

/s/ Ryan C. Curtis

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ORDER

IT IS SO ORDERED.

Gloria M. Navarro

United States District Judge

DATED: 07/31/2013